

**FACSIMILE  
TRANSMISSION  
TO USPTO**

## CERTIFICATION OF FACSIMILE TRANSMISSION:

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING FACSIMILE  
TRANSMITTED TO THE USPTO ON THE DATE SHOWN BELOW:

Date of Transmission: July 20, 2004

Name of Person Making Transmission: Teri McDonald

Signature: *Teri McDonald* 7/20/04

DOCUMENT(S) FAXED:

PAGES ATTACHED: 2

Re Applic of
Docket No.
Serial No.
Filing Date
Attorney

International Business Machines Corporation
FIS920040090US1
10/710,283
6/30/04
H. Daniel Schnurmann

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JUL 20 2004

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Attached: Preliminary Amendment

**PLEASE DELIVER TO:**  
**EXAMINER:**  
**ART UNIT:**  
**PHONE NO:**  
**FAX NO: 703-872-9306**

THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED, AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US AT THE ADDRESS TO THE RIGHT VIA THE U.S. POSTAL SERVICE.

INTERNATIONAL BUSINESS MACHINES  
CORPORATIONIntellectual Property Law  
East Fishkill Facility  
2070 Route 52  
Hopewell Junction  
New York 12533-6531Fax: 845-892-6363  
Phone: 845-894-2580

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING SENT VIA FACSIMILE TO: COMMISSIONER OF  
PATENTS AND TRADEMARKS, P.O. Box 1450, Alexandria, VA 22313, ON Sent by: Teri McDonald

 7/20/04  
Signature & Date

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE	
In re application of : <b>Chinthakindi</b>	Date: <b>July 20, 2004</b>
Serial Number: <b>10/710,283</b>	Examiner: <b>To Be Assigned</b>
Filed: <b>6/30/04</b>	Group Art Unit: <b>To Be Assigned</b>
Title: <b>Micro Electro-Mechanical Variable Capacitor</b>	IBM Corporation D/18G, B/300, Zip 482 2070 Route 52 Hopewell Junction, NY 12533-6531

### PRELIMINARY AMENDMENT

Commissioner of Patents and Trademarks  
Alexandria, VA 22313

Sir:

In accordance with the provisions under 37 C.F.R. § 1.115, Applicants request entry  
of the following preliminary amendment.

Please preliminarily amend the application as follows: